

FILED

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U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Plaintiff Pro Se

BY 

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

LAURACK D. BRAY

NO. CV 12-5704-CJC (RZ)

Plaintiff,

v.

DEPARTMENT OF JUSTICE, ET.AL.

Defendants.

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**RESPONSE RE : *JURISDICTION* ONLY TO COURT'S AUGUST 14, 2012 ORDER**

Plaintiff Laurack D. Bray hereby and *specifically* responds only as to the district court's *lack of jurisdiction* to issue the August 14, 2012 Order.

Plaintiff has filed a writ of mandamus in the United States Court of Appeals for the Ninth Circuit, appealing the very issues that the district court, Judge Cormac J. Carney, is attempting to make a ruling on, i.e., the TRO and Plaintiff's Complaint, see Laurack D. Bray v. USDC, C.D. of Cal., No. 12-72501, therefore, the district court *lacks jurisdiction* to make any rulings or take any other actions pertaining

thereto until the Court of Appeals issues a decision. See Smith v. Lujan, 588 F.2d 1304 (9<sup>th</sup> Cir. 1979).

When the district court had legal jurisdiction to rule on the TRO, it intentionally refused to do so. So now, after (and only after) Plaintiff has filed a writ of mandamus in the 9<sup>th</sup> Circuit to address that refusal, judge Carney has now attempted to do what he should have done earlier, i.e., make a ruling on the pending TRO, through a hastily written Order lacking in any real substance or merit. But now, it's **too late**. The district court lacks authority to make any further rulings until the 9<sup>th</sup> Circuit has issued a decision on the writ of mandamus.

Therefore, Plaintiff will disregard, and not respond to, the substance and merits of the court's August 14, 2012 Order, and will await, as the district court must do, the 9<sup>th</sup> Circuit's decision.

8-20-2012

Date

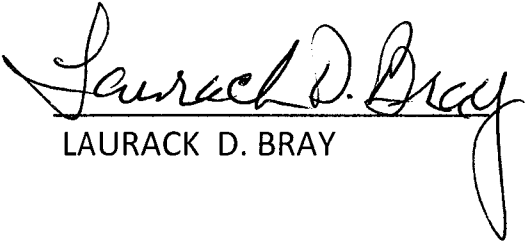
Laurack D. Bray  
LAURACK D. BRAY

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Response re: jurisdiction only to Court's August 14, 2012 Order" was mailed, first class, postage pre-paid to:

Jason K. Axe  
Assistant U.S. Attorney  
U.S. Attorney Office  
300 North Los Angeles Street, Room 7516  
Los Angeles , CA 90012

on this 20<sup>th</sup> day of August, 2012.

  
LAURACK D. BRAY